

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES

ORDER OF CANCELLATION IN FULL OF WATER APPROPRIATION A-5625

CASE NUMBER 2015-11-PD-1

WATER DIVISION 2-A

BACKGROUND

1. Records on file in the Department of Natural Resources (Department) show that surface water appropriation A-5625 is held by Kenneth J. Kantor, Sr. and June Kantor.
2. The Department has received information that Kenneth J. Kantor, Sr. is deceased.
3. Appropriation A-5625 with a priority date of October 5, 1953, authorizes the use of water for irrigation of the 21.7 acres of land described below. The water may be diverted from the South Loup River at a point of diversion located on the left bank of the stream in the SW¹/₄NW¹/₄ of Section 4, Township 11 North, Range 16 West of the 6th P.M. in Buffalo County. The rate that water may be diverted shall not exceed one cubic foot per second (cfs) for every 120 acres irrigated at a maximum rate of 0.18 cfs.

Township 11 North, Range 16 West of the
6th P.M. in Buffalo County Acres

Section 4: NW¹/₄NW¹/₄ 21.7

4. The Department has received information concerning the use of surface water appropriation A-5625 that indicates the appropriation has not been used for its required purpose for more than five consecutive years.
5. On May 15, 2015, the Department issued a Notice of Preliminary Determination of Nonuse of appropriation A-5625. The Notice was delivered by certified mail to June Kantor, 1520 East 42nd Street, Kearney, Nebraska 68847
6. No contest of the Preliminary Determination of Nonuse was received in the Department.
7. The Department has determined that appropriation A-5625 has not been used for its required purpose for more than five consecutive years.
8. *Nebraska Revised Statutes* § 46-229.02 provides that an appropriation not used for a beneficial purpose for more than five consecutive years may be cancelled.

ORDER

IT IS HEREBY ORDERED appropriation A-5625 is CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

June 23, 2015



James C. Schneider, Ph.D.
Acting Director

A copy of this Order was posted on the Department's website. A copy of this Order was provided to the Department's docket clerk and field office in Ord, Nebraska. A copy of this Order was mailed on June 23, 2015, to the following:

June Kantor
1520 East 42nd Street
Kearney, Nebraska 68847